

### **REMARKS**

In response to the Office Action mailed March 17, 2008, the Examiner's claim rejections have been considered. Applicant respectfully traverses all rejections regarding all pending claims and earnestly solicit allowance of these claims.

#### **1. Initial Remarks**

Applicant's counsel would like to advise the Examiner that there are multiple owners of the current application. This issue is discussed in a separate section at the end of the response. Applicant's counsel submits that this response is properly executed by all Joint Owners under MPEP 402.10 and, therefore, that the present response is timely filed with a three-month extension of time.

#### **2. Amendment to Claims 1 and 8**

In the May 2, 2007 amendment, Applicant amended claims 1 and 8 by adding the element "wherein upon said user selecting said part of the spatial representation a representation of interactions between customers and merchants associated with said part of the spatial representation selected by the user is superimposed on said spatial representation whereby said representation of interactions between customers and merchants is presented to a user in such a manner to facilitate a business decision." In subsequent replies to the Office, this element was deleted from claims 1 and 8. However, the deletion of this element was unintentionally not properly indicated (by strikethrough) in the listing of claims previously submitted to the Office. Therefore, Applicant has properly indicated (by strikethrough) this amendment to claims 1 and 8 by showing the deletion of the above recited element.

#### **3. Claim Rejection – 35 U.S.C. § 102**

The Examiner has rejected claims 1-14 under 35 U.S.C. § 102(b) as being anticipated by Wong (U.S. Patent No. 6,343,275).

Applicant respectfully traverses this rejection. For the sake of brevity, the rejections of the independent claims 1 and 8 are discussed in detail on the understanding that the dependent

claims are also patentably distinct over the cited references, as they depend directly from their respective independent claims. Nevertheless, the dependent claims include additional features that, in combination with those of the independent claims, provide further, separate and independent bases for patentability.

Claim 1 has been amended by now reciting "a spatial display component configured to display a graphical spatial representation of at least part of the physical layout of a commercial premises of a merchant." (emphasis added). Also, claim 8 has similarly been amended to now recite "displaying a graphical spatial representation of at least part of the physical layout of a commercial premises of a merchant." (emphasis added). This amendment to claims 1 and 8 makes clear that the "physical layout of a commercial premises" is being displayed. For example, as described in the current specification on page 7, the commercial premises being displayed may include the layout of individual gaming machines 106 and 108 and machine banks 110 and 112 on a casino floor as depicted in FIG. 2.

The Examiner states that Wong discloses this limitation in FIGS. 4 and 5. However, FIG. 4 displays a search screen, and FIG. 5 displays a list screen. See Wong, col. 7, lines 9-12. Wong does not disclose displaying a representation of at least a part of the physical layout of a commercial premises as recited in claims 1 and 8. Therefore, claims 1 and 8, and those claims that depend therefrom, are not anticipated by Wong.

Applicant further submits that the limitations of claim 7 are not disclosed in Wong.

Claim 7 recites:

the contour generator is configured to generate and display data points corresponding to the data values on one or more contour lines around one or more of the data points, each contour line representing data values which are less than the data value of the data point around which the contour line is displayed.

As recited in this claim, and as described on page 8 of the current application and shown in FIG. 2, the contour generator displays a data point, and around that data point are contour lines representing a data value less than the data point in the middle of the contour lines. Otherwise stated, the data point is a maximum value surrounded by contour lines that represent data values that are less than the data point in the middle of the contour lines. This limitation of claim 7 is

not disclosed in FIG. 113 are stated by the Examiner. FIG. 113 of Wong is a report graph screen with data values charted over time. The data points in this graph are shown with a square or circle indicating whether the data value represents "cash in bank #1" or "trade accounts payable," respectively. In FIG. 113, there are no contour lines or any other types of lines that are disposed around the data points that represent another data value that is less than the data point. Review of the Wong reference did not produce any disclosure of generating and displaying contour lines representing a data value less than the data value of the data point surrounded by the contour lines as recited in claim 7. Therefore, for this additional reason, Applicant respectfully submits that the 35 U.S.C. § 102(b) rejection of claim 7 has been overcome.

Claim 14 includes a similar limitation as recited in claim 7. Therefore, for the same reasons as discussed above with regard to claim 7, Applicant respectfully submits that the 35 U.S.C. § 102(b) rejection of claim 14 has also been overcome.

**CONCLUSION**


Applicant has made an earnest and *bona fide* effort to clarify the issues before the Examiner and to place this case in condition for allowance. Reconsideration and allowance of claims 1-14 is believed to be in order, and a timely Notice of Allowance to this effect is respectfully requested.

The Commissioner is hereby authorized to charge the fees indicated in the Fee Transmittal, any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17, or to credit any overpayments, to Deposit Account No. 194293, Deposit Account Name STEPTOE & JOHNSON LLP.

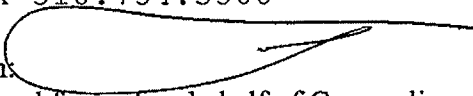
Should the Examiner have any questions concerning the foregoing, the Examiner is invited to telephone the undersigned attorney at (310) 734-3200. The undersigned attorney can normally be reached Monday through Friday from about 9:00 AM to 6:00 PM Pacific Time.

Respectfully submitted,

Date: September 17, 2008

  
Brooke W. Quist  
Reg. No. 45,030  
STEPTOE & JOHNSON LLP  
2121 Avenue of the Stars  
Suite 2800  
Los Angeles, CA 90067  
Tel 310.734.3200  
Fax 310.734.3300

Date: 17 September 2008 For Compudigm

  
(signed for and on behalf of Compudigm International Limited (in receivership and in liquidation) by its joint and several receiver and manager John Howard Ross Fisk, on the basis that all personal liability is excluded (including for the purposes of section 32 of the Receiverships Act 1993 of New Zealand))

**MPEP 402.10 – Joint Owners Are Required to Sign All Papers**

MPEP 402.10 states: "Papers giving or revoking a power of attorney in an application generally require signature by all the applicants or owners of the application." Bally Technologies, Inc. ("Bally") has become a joint owner with Compudigm International Limited ("Compudigm"), as indicated below.

- Compudigm originally filed the present application on December 8, 2003.
- On September 24, 2007 Bally acquired an undivided joint interest in and to the present application (USSN 10/345,649). See Exhibit A.
- On June 30, 2008, Bally executed a Power of Attorney approving the undersigned as Bally's Representative in the present application.
- On March 31, 2008, Compudigm entered into receivership in New Zealand. Mr. John Fisk of Pricewaterhousecoopers is the Receiver for Compudigm. See Exhibit B.
- On March 17, 2008, the USPTO mailed an Office Action rejecting the present application. Accordingly, with a three-month extension of time, a response must be filed on or before September 17, 2008 to avoid the present application from going abandoned. Bally's representative has prepared and files this response along with a three-month extension of time.
- On May 27, 2008, Bally's Representative contacted the USPTO and was informed by Robert at the Inventor's Assistance Center that Compudigm's Receiver, as the legal representative of the Estate, could act on behalf of Compudigm to execute any Powers of Attorney or the present response. Confirmation No. 1-122573067.
- As a result of the conversation with Robert at the USPTO, Bally's representative prepared and forwarded an email to Compudigm's Receiver, Mr. John Fisk, on September 15, 2008 via Mr. Fisk's counsel, Mr. Adam Jackson, requesting that Mr. Fisk review (or have independent counsel review) and execute the current response prepared by Bally's representative.



- On September 16, 2008, Bally's Representative received an e-mail from Mr. Adam Jackson stating the Receiver would execute the response on behalf of Compudigm.

In view of the above, Bally submits that this response is properly executed by all Joint Owners under MPEP 402.10 and, therefore, that the present response is timely filed.